

**ORIGINAL**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

2 ELAINE L. CHAO, )  
3 United States Department of Labor, )  
4 ) CIVIL ACTION NO.  
5 Plaintiff, ) 03-867 JMR/FLN  
6 )  
7 v. )  
8 )  
9 INTERNATIONAL ASSOCIATION )  
10 OF MACHINISTS, )  
DISTRICT LODGE 143 )  
10 Defendant. )

12        The subject action was initiated as a result of Plaintiff's investigation of the August, 2002,  
13 election of officers of the Defendant, International Association of Machinists, District Lodge 143,  
14 under Title IV of the Labor-Management Reporting and Disclosure Act of 1959, hereinafter  
15 referred to as the Act (29 U.S.C. 481 *et seq.*).

17 The parties, through their undersigned counsel, hereby stipulate and agree to the  
18 settlement of this action in accordance with the terms and conditions set forth below:

19       1. On January 16, 2003, Plaintiff filed a complaint pursuant to Title IV of the Act  
20 seeking an order declaring Defendant's August 13, 2002, election for all offices that were elected  
21 in the biennial election run on that date, null and void and directing the Defendant to conduct a  
22 new election for those offices under Plaintiff's supervision.<sup>1</sup>

23       2. The parties hereby agree that a new election for the aforementioned offices shall be  
24 conducted under the supervision of the Plaintiff on May 30, 2003. This election shall be

<sup>26</sup> <sup>1</sup> The offices are: President/Directing General Chair, Secretary-Treasurer, Trustee, Vice President (NWA) South, and General Chair (6 positions)

FILED 5-1-03  
RICHARD D. SLETTEN, CLERK  
JUDGMENT ENTD.  
CLERK BY CLERK

LAW OFFICES OF  
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1 conducted in accordance with Title IV of the Act (29 U.S.C. Sec. 481 *et seq.*), and, insofar as  
 2 lawful and practicable, in accordance with the Constitution of the International Association of  
 3 Machinists (hereinafter, the "International") and the bylaws of District Lodge 143 (hereinafter the  
 4 "District Lodge").

5       3. All decisions as to the interpretation or application of Title IV of the Act and the  
 6 Constitution of the International and the by-laws of the District Lodge relating to the supervised  
 7 election, and nominations are to be determined by the Plaintiff, and her decisions shall be final.

8       4. This Court shall retain jurisdiction of this action and after completion of the  
 9 election, Plaintiff shall certify to the Court the names of the persons elected to each office, and  
 10 that the election was conducted in accordance with Title IV of the Act and, insofar as lawful and  
 11 practicable, in accordance with the provisions of the Constitution of the International and the by-  
 12 laws of the District Lodge. The duly certified elected officers shall serve for the remainder of  
 13 the terms of office to which they would have been elected had this election taken place on August  
 14 13, 2002, in accordance with the Constitution of the International and the by-laws of the District  
 15 Lodge. Upon approval of such certification, the Court shall enter an Order declaring that such  
 16 persons have been elected as shown by such certification.

17       Each party hereby agrees to bear its own fees and other expenses incurred by such party in  
 18 connection with any stage of this proceeding to date.

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1 Dated this 17<sup>th</sup> day of April 2003.

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17 **Attorneys for District Lodge 143, IAM**

18   
19 ROBERT DE PACE  
20 President/Directing General Chair  
21 District Lodge 143, IAM

22 Dated this 21 day of April, 2003.

23 THOMAS B. HEFFELFINGER  
24 United States Attorney

25 By:   
26 PERRY F. SEKUS (#309412)  
27 Assistant United States Attorney  
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12 **Attorneys for Elaine Chao,**  
13 **Secretary of Labor**  
14 **United States Department of**  
**Labor, Plaintiff**

15  
16 **BY THE COURT:**

17 Date: May 1<sup>st</sup>, 2003

*James M. Rosenbaum*  
18 THE HONORABLE JAMES M. ROSENBAUM  
19 CHIEF JUDGE  
20 UNITED STATES DISTRICT COURT  
21 FOR THE DISTRICT OF MINNESOTA  
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